

0 to 20% polyvinyl acetate  
0 to 10% filler material  
0 to 99% water ( basis in spec )

22. An emulsion as in claim 21 and further comprising a biocide.
23. An emulsion as in claim 21 which changes the composition of coal to qualify for tax credits in section 20 of the Internal Revenue Code of the United States.

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#### **ARGUMENTS**

The claims have been amended to obviate the Examiner's informal criticisms and to eliminate two of them. The word "coal" has been added to claim 1 and to other claims to help define the invention over the prior art. Certainly, Borenstein does not contemplate his composition on coal...there is no suggestion or teaching of that whatsoever. Therefore, any minor difference between the claims and the ingredients ( and their percentages ) shown by Borenstein eliminates any standing of the reference as a teaching reference and the rejections fail. In addition, the same arguments apply to Greve who is dealing with wallboard, not improving combustion in coal. The reference is totally irrelevant.

Claims 17 – 19 appear to have been overlooked by the Examiner as being indicated allowable in the last Office action. They depend on claim 16 which is allowable. The same applies to claim 22 which was not rejected except for the 112

rejection.